



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

January 11, 2006

NYDEGGER & ASSOCIATES
348 OLIVE STREET
SAN DIEGO, CA 92103
US

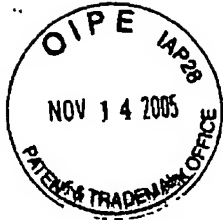
Dear Sir/Madam,

Your refund request for 10646486 in the amount of \$330.00 has been denied .

This money was charged from your account because it was needed to perfect the case. Because of the statemen on the transmittal they will use that as authorization whenever the application needs to be charged. See insert.

Sincerely,

ELEANOR KURTZ
Technical Center Others
703 308-9010 x177



NEIL K. NYDEGGER

email@nydegger.com

NYDEGGER & ASSOCIATES

ATTORNEYS AT LAW

348 OLIVE STREET
SAN DIEGO, CALIFORNIA 92103

Handwritten signature/initials

PATENT

Handwritten date: NOV 16 2005

TELEPHONE
(619) 688-1300
FACSIMILE
(619) 688-1322

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	Eric Ryba)
Serial No:	10/646,486) Art Unit
Filed:	August 22, 2003) 3739
For:	RESHAPEABLE TIP FOR A CRYOPROBE)
Examiner:	Roseland Stacie Rollins)
Customer No:	23862)
Attorney Docket:	11350.23)

RECEIVED
NOV 18 2005
OFFICE OF PETITIONS

37 CFR §1.26
(general)

Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

I. On September 16, 2005, the undersigned submitted a Petition For Extension Of Time in the subject application under 37 C.F.R. §1.136(a) and paid the fee of \$120.00. It appears that on September 28, 2005, the USPTO made an unwarranted and unauthorized withdrawal from Deposit Account No. 14-1519, with the withdrawal being for the purpose of submitting the Petition For Extension Of Time.

2005 10 16 PM 0:37

II. REQUEST FOR REFUND

This initial request is within two months of the date the fee was paid in this application. The fee in question has the following particulars:

Date Posted:	September 28, 2005
Control No.:	2
Fee Code:	1252
Serial No.:	10/646,486
Charge:	\$330.00

III. FEES PAID FOR WHICH REFUND IS REQUESTED

<u>Fee Description</u>	<u>Amount of Refund Requested</u>
Petition For Extension of Time	\$330.00

TOTAL REFUND REQUESTED \$330.00

IV. MANNER OF REFUND

Please make refund by crediting Deposit Account No. 14-1519.

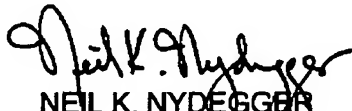
V. CONCLUDING REMARKS

Applicant submits the added fee was the result of a mistake on the part of the

USPTO. In light of the foregoing, Applicant requests immediate attention to this matter and a timely refund. Copies of the the Petition For Extension Of Time, check no. 017526, Certificate of Mailing under 37 C.F.R. § 1.8, and the postcard stamped by OIPE are enclosed.

Should there be any questions remaining, please call the undersigned at 619-688-1300.

Respectfully submitted,


NEIL K. NYDEGGER
Attorney for Applicant
Registration No. 30,202

NYDEGGER & ASSOCIATES
348 Olive Street
San Diego, California 92103
Telephone: (619) 688-1300
Facsimile: (619) 688-1322

CERTIFICATE OF MAILING UNDER 37 CFR §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450, on this 9th day of November, 2005.


MEGAN N. KELLY
Legal Document Assistant

Hon. Commissioner for Patents
Page 4

Transmitted: 37 CFR §1.26 (general), Copies of the the Petition For Extension Of Time,
Check No. 017526, Certificate of Mailing under 37 C.F.R. § 1.8, and the postcard stamped
by OIPE

Docket: 11350.23



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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MONTHLY STATEMENT
OF DEPOSIT ACCOUNT

To replenish your deposit account, detach and
return top portion with your check. Make check
payable to Director of Patents & Trademarks.

NYDEGGER & ASSOCIATES
TARYL ANDERSON
348 OLIVE STREET
SAN DIEGO CA 92103

FINA

Account No.
141519
Date
9-30-05
Page
1

PLEASE SEND REMITTANCES TO:
U. S. Patent and Trademark Office
P.O. Box 70541
Chicago, IL 60673

DATE POSTED			CONTROL NO.	DESCRIPTION (Serial, Patent, TM, Order)	DOCKET NO.	FEE CODE	CHARGES/ CREDITS	BALANCE
MO.	DAY	YR.						
9	28	05	2	10646486	11350.23	1252 ↓ ext. fees	330.00	1585.50
AN AMOUNT SUFFICIENT TO COVER ALL SERVICES REQUESTED MUST ALWAYS BE ON DEPOSIT					OPENING BALANCE	TOTAL CHARGES	TOTAL CREDITS	CLOSING BALANCE
					1915.50	330.00	0.00	1585.50



PATENT

NYDEGGER & ASSOCIATES

ATTORNEYS AT LAW

348 OLIVE STREET
SAN DIEGO, CALIFORNIA 92103

NEIL K. NYDEGGER

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(619) 688-1322

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	Eric Ryba)	
Serial No:	10/646,486)	
Filed:	August 22, 2003)	Art Unit
For:	RESHAPEABLE TIP FOR A CRYOPROBE)	3739
Examiner:	Roseland Stacie Rollins)	
Customer No:	23862)	
Attorney Docket:	11350.23)	

PETITION FOR EXTENSION OF TIME

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED
NOV 18 2005
OFFICE OF PETITIONS

Sir:

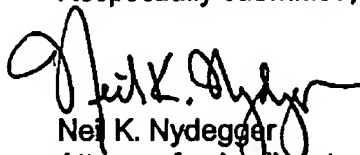
Pursuant to 37 C.F.R. §1.136(a), it is respectfully requested that the shortened statutory period which was set for responding to the Office Action dated April 20, 2005, with a response date of July 20, 2000, be extended for two (2) months until September, 2005.

Check No. 17526 in the amount of \$120.00 is enclosed herewith for payment of the fee associated with this Petition, as set forth in 37 C.F.R. § 1.17. The Commissioner

is hereby authorized to charge any additional fee or to credit any overpayment in connection with this Petition to Deposit Account No. 14-1519. Triplicate copies of this sheet are enclosed.

DATED this 16th day of September, 2005.

Respectfully submitted,



Neil K. Nydegger
Attorney for Applicant
Registration No. 30,202

NYDEGGER & ASSOCIATES
348 Olive Street
San Diego, California 92103
Telephone: (619) 688-1300

CERTIFICATE OF MAILING UNDER 37 CFR §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 16th day of September, 2005.



JENNY L. STEDMAN
Legal Document Assistant

NYDEGGER & ASSOCIATES
348 Olive Street
San Diego, California 92103
Telephone: (619) 688-1300

Docket: 11350.23

U.S. Patent & Trademark Offices U.S. PATEN00020
VENDOR: NYDEGGER AND ASSOCIATES SAN DIEGO, CA 92103

CHECK NO. 017526

5040-00-00-00 11350-23 120.00 Costs advanced for Petition for Extension of
Time; Applicant: Ryba; Serial No: 10/646,486; Filed: August 22, 2003; For: RESHAPEABLE TIP
FOR A CRYOPROBE; Docket: 11350.23

NYDEGGER AND ASSOCIATES
GENERAL ACCOUNT
619-688-1300
348 Olive Str.
San Diego, CA 92103

UNION BANK OF CALIFORNIA
4660 La Jolla Village Dr. Ste. 175
San Diego, CA 92122

16-49
1220

No. 017526

U.S. PATEN00020

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09/15/2005

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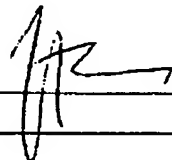
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⑈017526⑈ ⑆122000496⑆ 0890008062⑈

Docket No. 11350.23

Serial/Patent No. 10/646,486

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Docket No. 11350.23

Serial/Patent No. 10/646,486

The date stamp of the Patent & Trademark Office
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On 9-16-05
Mailed Date 10-16-05
Revised Date _____
Date _____

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